UNITED STATES DISTRICT COURT

DISTRICT OF Massachusetts

UNITED STATES OF AMERICA

V.

JOAO KUNZLER

Defendant

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint/Indictment)

CASE NUMBER: 2006 M 0453 RBC

CHARGING DISTRICTS CASE NUMBER: 06 MAG 11

I understand that charges are pending in the Southern District of New York alleging violation of 18 USC 1341 + 42 USC 408(a)(7)(B) and that I have been arrested in this district and
(Title and Section)

taken before a judge, who has informed me of the charge(s) and my rights to:

(1) **retain counsel or request the assignment of counsel if I am unable to retain counsel;**

(2) **an identity hearing to determine whether I am the person named in the charges;**

(3) **a preliminary hearing (unless an indictment has been returned or information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and**

(4) **Request transfer of the proceedings to this district under Rule 20, Fed. R. Crim. P., in order to plead guilty.**

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

( ) **identity hearing**

( ) **preliminary hearing**

(✓) **identity hearing but request a preliminary hearing be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.**

Defendant

FEB 27 2006
Date

Defense Counsel